



RECEIVED
FEB 19 2003
TECH CENTER 150072900
2/28/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: TAKAYAMA 10

In re Application of:)	Art Unit: 1616
)	
Hiroaki TAKAYAMA, et al.)	Examiner: S.N. QAZI
)	
Appln. No.: 10/069,481)	Confirmation No. 3430
)	
Date Filed: February 27, 2002)	Washington D.C.
)	
For: 2-SUBSTITUTED VITAMIN D)	February 12, 2003
DERIVATIVES)	
)	

SUBMISSION OF DECLARATION UNDER 37 CFR 1.132

Honorable Commissioner for Patents
Washington, D.C. 20231

Supplemental to the amendment filed
January 10, 2003, submitted herewith is the declaration
of Hiroaki TAKAYAMA.

The TAKAYAMA declaration demonstrates that the
VDR binding properties of the compounds of the present
invention are considerably higher than for the β -
substituted compounds. The data discussed in this
declaration are comparable because the techniques for
obtaining the data are the same. Particularly, the VDR
binding data for the 2α -vitamin D compounds of Tsugawa et
al. are substantially comparable with the data of the
instant application, since they were each evaluated using
relative values with respect to the same reference
compounds, 1α , 25-dihydroxy vitamin D₃, and determined
according to substantially the same method based on the

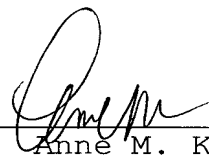
same article of Imae et al. Therefore, it is believed that the data compared in the TAKAYAMA declaration represent a proper comparison of the data.

In view of the above, it is respectfully submitted that the claims are now in condition for allowance, and favorable action thereon is earnestly solicited.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By



Anne M. Kornbau

Registration No. 25,884

AMK:nmp

Telephone No.: (202) 628-5197

Facsimile No.: (202) 737-3528

G:\BN\Y\YUAS\Takayama10\PTO\1.132 dec submission feb 12 03.doc